



STATE OF IOWA

CHESTER J. CULVER, GOVERNOR
PATTY JUDGE, LT. GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
RICHARD A. LEOPOLD, DIRECTOR

October 14, 2008

Dallas Pork, LLC
c/o Robert Manning Jr.
33914 Yuma Ln
Granger, IA 50109

**RE: CONSTRUCTION PERMIT CP-A2008-201
FACILITY ID # 65901**

Dear Mr. Manning:

Enclosed is the construction permit for your new swine confinement feeding operation "Dallas Pork, LLC". As you recall, the Iowa Department of Natural Resources (IDNR) made a preliminary determination on July 14, 2008, that your construction permit application satisfied the legal requirements for issuance of a permit. Now, pursuant to Iowa Code sections 459.303, 459.304 and Iowa Administrative Code (IAC) 65.10(7), the construction permit is issued.

Please read and be familiar with all conditions and requirements contained in this permit. In particular, please note condition number 4 that require that you receive written approval from the IDNR before populating the new buildings with animals or storing any manure in the new concrete pits. Also note conditions number 1, 2 and 3, which requires that the approval of the IDNR be obtained prior to modifying your manure control system or expanding the animal capacity, above the design capacity and permit expiration conditions. Be aware that the processing of a new construction permit may take up to 90 days, sometimes more, to allow for all actions as required in Iowa law. Further, also note conditions 6 and 7 that contain master matrix requirements and conditions 13 to 15 regarding other permits that may be required to your operation. This permit should be retained in your files and copies should be distributed to personnel responsible for operating the manure control systems.

If you have any questions regarding this permit, please contact Sara Smith at (515) 242-5521.

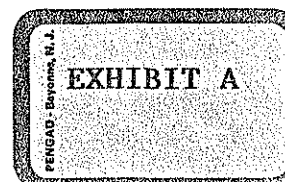
Sincerely,

ENVIRONMENTAL SERVICES DIVISION

Sara Smith

Sara Smith, Ph.D.
Environmental Engineer
Wastewater Engineering Section

Cc: Dallas County Board of Supervisors. Attn: Bob Ockerman, Chairperson
801 Court St. - Suite 100. Adel, IA 50003
Brian Ritland. 620 Country Club Rd. Iowa Falls, IA 50126
Iowa DNR - Field Office 5. Attn: Jeff Theobald



STATE OF IOWA
DEPARTMENT OF NATURAL RESOURCES
HENRY A. WALLACE BUILDING
DES MOINES, IOWA 50319

CONSTRUCTION PERMIT

Dallas Pork, LLC
c/o Robert Manning Jr.
33914 Yuma Ln
Granger, IA 50109

Permit No.: CP-A2008-201

File: Agriculture

RE: Dallas Pork, LLC

Facility ID No.: 65901

In accordance with Iowa Code Sections 459.303 and 459.304, and 567 Iowa Administrative Code (IAC) 65.7(455B), the Director of the Department of Natural Resources does hereby issue a construction permit for:

Two swine finishing confinement buildings to serve a new swine finishing confinement feeding operation to be located in the SW ¼ of the SW ¼ of Section 16, T81N, R29W, Dallas Township, Dallas County, Iowa. Each of the new confinement buildings will be 237 feet long x 121 feet 10 inches wide and will house 3,720 head of finishing swine, per building. The manure control system will consist of 8 feet deep below the building pits to be constructed of reinforced concrete. The animal capacity of the operation (maximum number of head to be confined at any one time) is for a total of 7,440 head of finishing swine. The total animal unit capacity, maximum at any one time, of this confinement feeding operation shall not exceed 2,976 animal units (AU).

This permit is issued subject to the following conditions and requirements:

1. No material change in the construction of this project shall be undertaken, unless first authorized by this Department.
2. This construction permit shall expire if the authorized construction is not begun within one year of the date of issuance of this permit. This construction permit shall also expire if the authorized construction is not completed within four years of the issuance of this permit. A new construction permit will be required if you do not begin construction within one year or for any construction not completed within four years of this permit, as specified in rule section 65.7(5).

3. The design capacity of the manure storage system for the entire swine confinement feeding operation is for a maximum animal unit capacity of 2,976 AU, to be confined at any one time. A new construction permit shall be obtained prior to making any additions or alterations to the manure control system, making any process changes that would materially affect the manure control system or expanding the animal capacity or increasing the volume of manure.
4. Animals shall not be placed in each of the new confinement buildings and manure shall not be stored in each of the new concrete pits until all the following are satisfied:
 - a) Construction is completed.
 - b) You submit a certification that each of the below the floor concrete pits for the new confinement buildings were:
 - Constructed in accordance with the minimum concrete design standards of the 567 IAC 65.15(14)"a"(2), attached.
 - Constructed in accordance with the drainage tile removal standards of 567 IAC 65.15(1), (enclosed), including a report of the findings and action taken to comply with this subrule.
 - Constructed in accordance with the minimum required separation distances of the 567 IAC Table 6, (enclosed for your use).
 - Due to the size of the pit, adequate construction joints and waterstops have been installed to meet the requirement of 567 IAC 65.15(14)"a"(1), item 3, attached.
 - c) A licensed Land Surveyor or a Professional Engineer licensed in the state of Iowa, submits a signed statement indicating that the permitted confinement feeding operation structures were constructed at least 100 feet from the road right of way of a public thoroughfare.
 - d) You must notify this department's Des Moines, Iowa office, at (515) 725-0268, at least three days prior to the initial concrete pour for your new manure storage pits.
 - e) A drainage tile system has been installed around the base of the manure storage structures (deep pits), or a licensed professional engineer submits his determination of the average annual high water table at the site, which shows that the ground water table is not above the bottom of the manure storage structures (deep pits), as required in the 567 IAC 65.15(7) "b".
 - f) A device to allow monitoring of the water in the drainage tile lines to lower the ground water table (see item "d" above) and a device to allow shut off of the drainage tile lines has been installed if the drainage tile lines do not have a surface outlet accessible on the property where the manure storage structures (deep pits) are located, as required in the 567 IAC 65.15(1) "c".
 - g) You receive written approval from this department.
5. If karst terrain (limestone, dolomite, or other soluble rock) is found during excavation of the permitted formed manure storage structure(s), the upgraded concrete standards set forth in 567 IAC 65.15(14)"c", must be followed. Construction of an unformed manure storage structure in karst terrain, as defined in 567 IAC 65.1(455B), is prohibited. The Department must first authorize any design changes to the project, as required in condition 1 of this permit.

6. The Master Matrix evaluation of your application by Dallas County received on June 11, 2008 and amended recommendation received on July 11, 2008, includes scores for criteria 12, 16, 17, 19 and 25. The Master Matrix requires that a (design, operation and maintenance) plan for these criteria be included in the application and that compliance with said plan be a condition of the permit. Accordingly, in constructing and operating this facility, you are required to comply with the plan you submitted to implement Master Matrix criteria 12, 16, 17, 19 and 25. Briefly stated:
 - a) The permittee shall operate these concrete pits according to their County-approved operation and maintenance plan (criteria 12 and 17).
 - b) The permittee shall construct a stockpile and compost facility enhancement according to the County-approved operation and maintenance plan (criterion 16).
 - c) The permittee shall construct and maintain a truck turn around area at the proposed confinement feeding operation according to their County-approved operation and maintenance plan (criterion 19).
 - d) The permittee shall operate the facility according to their County-approved operation and maintenance plan that will utilize wet/dry feeders or other feeding and watering systems that significantly reduce manure volume (criterion 25).
7. The Master Matrix evaluation of your application by Dallas County received on June 11, 2008, and amended recommendation received on July 11, 2008, includes scores for criterion 26"e". The Master Matrix requires that the limitations or actions you accepted in choosing to receive a score for these criteria must be included as conditions of the permit. Accordingly, in operating this facility you are required to comply with Master Matrix criterion 26"e". Briefly stated:
 - a) The manure produced at this confinement operation shall be injected or incorporated on the same date it is land applied (criterion 26"e").
8. Prior to entering the winter season, a sufficient volume of manure shall be removed from the manure storage structures to provide adequate volume for storage of manure produced in the livestock production facilities during the winter season.
9. Manure removed from the manure storage facilities shall be disposed of by land application in accordance with your approved manure management plan. You must also keep your manure management plan current and maintain records [within 30 miles of the site and pursuant to 567 IAC 65.17(12)] sufficient to demonstrate compliance with the plan.
10. Water usage in the confinement facilities that results in dilution of manure entering the manure storage tanks shall be minimized.
11. Dilution water shall not be added to the manure storage tanks except during disposal operations when required to facilitate complete emptying of the manure storage structures.
12. Human sanitary wastes shall not be discharged to the manure storage structures.
13. A water use permit is required for the withdrawal or diversion of more than 25,000 gallons of water per day. Water purchased from municipal or rural water systems is

excluded. Any future wells shall be located respective of regulated separation distances and installed according to county permit requirements. For more information contact Jim Neleigh at (515) 725-0276.

14. No construction activities shall be initiated unless a Iowa NPDES General Permit No. 2 for "Storm water associated with construction activities" is obtained from the department if the site disturbance and preparation **equals or exceeds one (1) acre**. This includes the clearing, grading and excavation for the confinement feeding operation structures even with phased construction. For more information or to verify permit requirements contact Joe Griffin at (515) 281-7017.
15. The issuance of this permit in no way relieves the permittee of the responsibility for complying with all local, state and federal laws, ordinances, regulations and other requirements applying to the operation of this facility.
16. All tile line intakes located within any fields used for land application of manure shall prior to application be sleeved with PVC piping or similar non-permeable barrier. The sleeves shall remain in place for at least three days after the application is completed for each such field.
17. All water wells located within any fields used for land application of manure shall prior to application be permanently plugged as provided in 567 Iowa Admin. Code chapter 39.
18. Land application of manure shall not be on frozen or snow-covered ground, except in the case of an emergency and IDNR Field Office No. 5 is first consulted regarding measures to limit the likelihood of manure runoff, or as otherwise authorized by a rule adopted subsequent to issuance of this permit.
19. Manure shall not be land applied during wet periods of runoff. In determining appropriate application timing, the person land-applying the manure shall consider the soil moisture as measured, the planned application rate, and anticipated precipitation events.
20. Prior to land application, manure from deep pits shall be sampled and analyzed for total kjeldahl nitrogen and total phosphorus and application rates shall be adjusted accordingly to comply with the manure management plan.
21. Land application of manure shall be according to the nutrient application rates of nitrogen and the Iowa phosphorus index.
22. A licensed professional engineer, who shall be retained on a consulting basis and not directly employed by the applicant as an employee, shall submit to the department a certification that the engineer supervised construction of the manure storage structures during critical points of construction with regard to concrete pouring and rebar placement, inspected the construction after completion and before commencement of operation, and that construction was in accordance with the drainage tile removal standards of 567 Iowa Admin. Code 65.15(1), along with a report of findings and actions taken to comply with the tile removal standards.

23. Prior to the first land application, an emergency response plan shall be developed and submitted to IDNR Field Office No. 5. The emergency response plan shall identify procedures and contacts for responding to, for example, spills and/or discharges of manure from the facility or land application sites. Copies of the emergency response plan shall be maintained at the facility and provided to persons involved in land applying manure.
24. The IDNR Field Office No. 5 shall be given at least 24 hours advance notice that manure will be land applied, the planned location of the manure application, and the name and phone number of the person or firm responsible for such manure application, except that legal holidays, or the Friday after Thanksgiving, shall not be counted as part of the 24 hours advance notice. For manure application at anytime on weekends or Monday mornings before noon, notice shall be given to the field office by noon on the preceding Friday, except that legal holidays, or the Friday after Thanksgiving, shall not be counted as part of the 24 hours advance notice.
25. Two rows of trees with each row being thirty (30) feet apart shall be planted and maintained with one row each of Austree (or similar fast-growing tree if Austree is not available) and Spruce. Excepting driveways and other access requirements, each tree shall be twelve (12) feet apart. The rows shall be planted at the following locations:

Along the north and south sides of the facility

Please contact Sara Smith at (515) 242-5521 with any questions.

For the Department of Natural Resources:

RICHARD A. LEOPOLD, DIRECTOR

By: Sara Smith
ENVIRONMENTAL SERVICES DIVISION

Date: October 14, 2008

Cc: Dallas County Board of Supervisors. Attn: Bob Ockerman, Chairperson
801 Court St. - Suite 100. Adel, IA 50003
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